

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re REFCO, INC. SECURITIES LITIGATION	:	07 MDL No. 1902 (JSR)
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	:	ECF CASE
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KENNETH M. KRYS, et al.	:	
	:	08 Civ. 3086 (JSR)
Plaintiffs,	:	
-v-	:	
	:	
CHRISTOPHER SUGRUE, et al.	:	
	:	
Defendants.	:	
	:	
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	:	
KENNETH M. KRYS, et al.	:	
	:	
Plaintiffs,	:	10 Civ. 3594 (JSR)
	:	
-v-	:	
	:	
DEUTSCHE BANK SECURITIES INC., et al.	:	
	:	
Defendants.	:	
-----	X	

KENNETH M. KRYIS, et al.

Plaintiffs,

-v-

SCHULTE ROTH & ZABEL, LLP.

Defendant.

11 Civ. 1486 (JSR)

KENNETH M. KRYIS, et al.

Plaintiffs,

-v-

ROBERT AARON, et al.

Defendants.

08 Civ. 7416 (JSR)

~~PROPOSED~~ **STIPULATED ORDER**

**WHEREAS**, non-parties Christopher Aliprandi, Paul Aaronson, and Patrick McMahon were served with subpoenas from Defendants Derivatives Portfolio Management LLC, DPM-Mellon, LLC, Derivatives Portfolio Management, Ltd., DPM-Mellon, Ltd., Guy Castranova, and The Bank of New York Mellon Corporation (the “DPM Parties”) in the above-captioned action, *Kryis v. Aaron*, which is part of the above-captioned *In re Refco MDL* (the “Actions”);

**WHEREAS**, Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon produced documents in response to the subpoenas, subject to the November 23, 2009 Protective Order pursuant to Fed. R. Civ. P. 26(c) and Fed. R. Evid. 502(d);

**WHEREAS**, the documents listed on the attached Schedules A and B (the “Documents”) were withheld from production by Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon on the basis of the attorney client privilege and/or work product doctrine;

**WHEREAS**, the DPM Parties have requested that the Documents be produced and have asserted that the Documents are not protected by any privilege, and brought this dispute to the attention of Special Master Ronald Hedges;

**WHEREAS**, counsel for the parties agreed to meet and confer regarding their discovery dispute; and

**WHEREAS**, Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon, while still contending that the Documents are privileged but in an effort to settle this discovery dispute, have agreed to provide to counsel for the DPM Parties the Documents that had previously been withheld on the ground of privilege, subject to certain limitations and protections against waiver under Fed. R. Evid. 502(d);

**IT IS HEREBY ORDERED** that:

1. Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon still contend that the Documents are privileged but nonetheless desire to end the instant dispute, and thus agree to produce the Documents to the DPM Parties within two (2) business days of issuance of this Stipulated Order, without waiver of any privilege, attorney-client or attorney work product or otherwise, that Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon would be otherwise entitled to assert with respect to any other documents, communications and information.

2. The DPM Parties shall use the Documents only for purposes of the Actions;


3. The agreement by Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon to this Stipulated Order and the production of the Documents pursuant to this Stipulated Order shall not constitute a waiver by Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon of (a) any attorney-client privilege or any other applicable privileges that otherwise may exist with respect to the Documents, including, without limitation, communications with counsel as may be reflected by the Documents and communications with counsel about or relating to communications referenced by the Documents, and/or (b) any attorney-client privilege or any other applicable privileges that otherwise may exist with respect to undisclosed communications or information that concern the same subject matter as contained in the Documents under Federal Rule of Evidence 502(a) or otherwise;

4. Upon request, Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon will produce the Documents to any other party to the Actions subject to any such party and counsel agreeing to agreeing to be bound by the terms and conditions of this instant Order, with any such production being subject to the terms and conditions of this instant Order;

5. The DPM Parties shall not make available any of the Documents to any other party to the Actions, including counsel, or to any other person or entity, until such party, person, or entity agrees in writing to be bound by the terms and conditions set forth in the instant Order, and until the DPM Parties, or their counsel, have provided counsel to Mr. Aliprandi, Mr. Aaronson, and Mr. McMahon (Robert Zito, Esq. of Carter Ledyard & Milburn LLP) twenty four (24) hours written advance notice of any such production, with any such production being subject to the terms and conditions of this instant Order; and

6. This Stipulated Order is issued in accordance with Federal Rule of Evidence 502(d).

Dated: ~~New York, New York~~  
March 21, 2012



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SPECIAL MASTER RONALD J. HEDGES

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
*Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail with attachments	12/8/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding stock purchase agreement and employment issues.	Attorney-Client
E-mail with attachment	12/8/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding employment issues.	Attorney-Client
E-mail with attachment	12/8/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding PlusFunds events and developments.	Attorney-Client
E-mail with attachment	12/9/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding indemnity resolution.	Attorney-Client
E-mail	12/9/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding communications with Brian Owens.	Attorney-Client
E-mail	12/10/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding SPhinX board meeting.	Attorney-Client
E-mail	12/14/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding loan agreement between Suffolk and Refco.	Attorney-Client
E-mail	12/19/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding recent PlusFunds developments.	Attorney-Client
E-mail	12/20/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding separation from PlusFunds.	Attorney-Client
E-mail with attachment	12/21/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail	12/21/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding SEC meetings.	Attorney-Client
E-mail	12/22/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SEC meeting.	Attorney-Client
E-mail	12/22/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SEC meeting.	Attorney-Client
E-mail	12/22/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SEC meeting.	Attorney-Client
E-mail	12/22/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SEC meetings.	Attorney-Client
E-mail	12/22/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachment	12/22/2005	Tom Fallati, Esq.	Christopher Aliprandi	Kenneth Breen, Esq.; Craig Rubin, Esq.	Confidential communication from counsel regarding indemnification issues.	Attorney-Client; Work Product
E-mail with attachment	12/22/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding legal issues and services rendered.	Attorney-Client
E-mail	12/23/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/23/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachment	12/27/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding stock sale agreement.	Attorney-Client

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))**

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail with attachments	12/28/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client; Work Product
E-mail	12/28/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding communications with Mark Kavanaugh and Brian Owens.	Attorney-Client
E-mail	12/28/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding terms of separation.	Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/15/2005	Patrick McMahon	Paul Aaronson; Christopher Aliprandi; Robert Zito, Esq.		Confidential communication with counsel regarding meeting with SEC	Attorney-Client Redacted
E-mail with attachment	12/14/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft investor disclosure letter.	Attorney-Client Redacted



**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
*Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail	12/11/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding SPhinX board meeting.	Attorney-Client
E-mail	12/8/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding potential assertion of preference claim.	Redacted
E-mail	12/14/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding meeting with SEC.	Attorney-Client
E-mail	12/16/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding meeting with SEC.	Redacted
E-mail	12/18/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding asset freeze TRO.	Attorney-Client
E-mail	12/18/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding asset freeze TRO.	Redacted
E-mail	12/16/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding related party disclosures.	Attorney-Client
						Redacted

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))**

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail with attachment	12/20/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/20/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Redacted Attorney-Client
E-mail	12/20/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding investor disclosure.	Redacted Attorney-Client
E-mail	12/23/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding meeting with SEC.	Redacted Attorney-Client
E-mail	12/20/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding director and officer indemnity.	Redacted Attorney-Client
E-mail	12/16/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding related party disclosures.	Redacted Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding separation agreement and indemnification.	Redacted Attorney-Client
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation	Redacted Attorney-Client

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
*Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail	12/30/2005	Kenneth Breen, Esq.	Christopher Aliprandi		agreement.	Redacted
E-mail	12/28/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachments	12/28/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Redacted
E-mail	12/31/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachments	12/31/2005	Kenneth Breen, Esq.	Christopher Aliprandi		Confidential communication from counsel regarding draft separation agreement.	Redacted
E-mail	12/30/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/29/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Redacted

**SCHEDULE A**  
**Christopher Aliprandi Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
*Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y))

<b>Document Type</b>	<b>Date</b>	<b>Author</b>	<b>Recipient(s)</b>	<b>Cc(s)</b>	<b>Subject or Description</b>	<b>Privilege</b>
E-mail	12/29/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client  Redacted

**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

<u>Document Type</u>	<u>Date</u>	<u>Author</u>	<u>Recipient(s)</u>	<u>Ce(s)</u>	<u>Subject or Description</u>	<u>Privilege</u>
E-mail	12/27/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/8/2005	Paul Aaronson	Robert J.A. Zito, Esq.	Christopher Aliprandi; Patrick McMahon	Confidential communication with counsel regarding transition terms.	Attorney-Client
E-mail with attachments	12/27/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Patrick McMahon		Confidential communication from counsel transmitting draft separation agreement.	Attorney-Client; Work Product
E-mail	12/22/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client
E-mail	12/21/2005	Robert J.A. Zito, Esq.	Patrick McMahon; Paul Aaronson; Christopher Aliprandi		Confidential communication from counsel regarding SEC meeting.	Attorney-Client
E-mail	12/22/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Patrick McMahon		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachments	12/22/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Christopher Aliprandi; Patrick McMahon; Kenneth Breen, Esq.		Confidential communication from counsel transmitting draft separation agreement.	Attorney-Client; Work Product
E-mail	12/22/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson; Christopher Aliprandi; Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client

**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

E-mail	12/22/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon; Christopher Aliprandi; Kenneth Breen, Esq.		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client
E-mail with attachments	12/22/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Patrick McMahon; Christopher Aliprandi; Kenneth Breen, Esq.		Confidential communication from counsel transmitting draft separation agreement.	Attorney-Client; Work Product
E-mail	12/21/2005	Christopher Aliprandi	Robert J.A. Zito, Esq.; Patrick McMahon; Paul Aaronson		Confidential communication with counsel regarding SEC meeting.	Attorney-Client
E-mail with attachment	12/21/2005	Paul Aaronson	Christopher Aliprandi		Confidential communication discussing draft separation agreement and legal advice of counsel.	Attorney-Client; Work Product
E-mail	12/21/2005	Robert J.A. Zito, Esq.	Patrick McMahon		Confidential communication with client regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon; Christopher Aliprandi		Confidential communication with counsel regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Christopher Aliprandi; Paul Aaronson		Confidential communication with counsel regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Robert J.A. Zito, Esq.	Patrick McMahon; Paul Aaronson		Confidential communication from counsel regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson		Confidential communication with counsel regarding SEC meetings.	Attorney-Client
E-mail	12/21/2005	Robert J.A. Zito, Esq.	Patrick McMahon; Paul Aaronson		Confidential communication from counsel regarding SEC meetings.	Attorney-Client

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**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

E-mail	12/16/2005	Paul Aaronson	Christopher Aliprandi		meetings.		Attorney-Client
Email with attachment	12/14/2005	Patrick McMahon	Robert J.A. Zito, Esq.	Paul Aaronson	Confidential communication to counsel regarding meeting with S&P.	Attorney-Client	Attorney-Client
E-mail	12/8/2005	Paul Aaronson	Robert J.A. Zito, Esq.		Confidential communication to counsel regarding PlusFunds committee resolution.	Attorney-Client	Attorney-Client
E-mail	12/8/2005	Paul Aaronson	Robert J.A. Zito, Esq.	Christopher Aliprandi; Patrick McMahon	Confidential communication with counsel regarding transition terms.	Attorney-Client	Attorney-Client
E-mail	12/6/2005	Paul Aaronson	Robert J.A. Zito, Esq.		Confidential communication with counsel regarding draft letter to PlusFunds directors.	Attorney-Client	Attorney-Client
E-mail	12/5/2005	Robert J.A. Zito, Esq.	Paul Aaronson		Confidential communication from counsel regarding draft letter to PlusFunds directors.	Attorney-Client	Attorney-Client
E-mail with attachment	12/5/2005	Paul Aaronson	Robert J.A. Zito, Esq.		Confidential communication with counsel regarding draft letter to PlusFunds directors.	Attorney-Client; Work Product	Attorney-Client
E-mail	12/21/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson; Christopher Aliprandi		Confidential communication with counsel regarding SEC meetings.	Attorney-Client	Attorney-Client
E-mail	12/22/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon		Confidential communication with counsel regarding draft separation agreement.	Attorney-Client	Attorney-Client
E-mail	12/22/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Kenneth Breen, Esq.;		Confidential communication with counsel regarding draft	Attorney-Client	Attorney-Client

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**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

E-mail	12/22/2005	Paul Aaronson	Christopher Aliprandi; Patrick McMahon		separation agreement.		Attorney-Client
E-mail	12/8/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Kenneth Breen, Esq.; Christopher Aliprandi; Patrick McMahon	Christopher Aliprandi	Confidential communication with counsel regarding draft separation agreement.		Attorney-Client
E-mail	12/8/2005	Christopher Aliprandi	Robert J.A. Zito, Esq.; Paul Aaronson		Confidential communication with counsel regarding transition terms.		Attorney-Client
E-mail	12/8/2005	Christopher Aliprandi	Kenneth Breen, Esq.		Confidential communication with counsel regarding transition terms.		Attorney-Client
E-mail	12/24/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Patrick McMahon		Confidential communication regarding communications with and advice of counsel in connection with transition terms.		Attorney-Client
E-mail	12/20/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson		Confidential communication from counsel regarding draft separation agreement.	Attorney-Client Redacted Document: AR009403	Attorney-Client
E-mail with attachment	12/20/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon		Confidential communication with counsel regarding SEC meetings..	Attorney-Client Redacted Document: AR009458	Attorney-Client; Work Product

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**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
*Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))

E-mail with attachment	12/20/2005	Paul Aaronson	Robert J.A. Zito, Esq.			Confidential communication with counsel regarding draft separation agreement.	Redacted Document: AR009460 Attorney-Client
E-mail	12/20/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson			Confidential communication with counsel regarding draft separation agreement.	Redacted Document: AR009462 Attorney-Client
E-mail	12/18/2005	Paul Aaronson	Robert J.A. Zito, Esq.			Confidential communication with counsel regarding draft separation agreement.	Redacted Document: AR009464 Attorney-Client
E-mail	12/16/2005	Robert J.A. Zito, Esq.	Paul Aaronson			Confidential communication with counsel regarding investor letter.	Redacted Document: AR009490 Attorney-Client
E-mail	12/16/2005	Paul Aaronson	Robert J.A. Zito, Esq.			Confidential communication with counsel regarding investor letter.	Redacted Document: AR009493 Attorney-Client

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**SCHEDULE B**  
**Paul Aaronson Privileged Documents Initially Withheld Being Produced Pursuant to Stipulated Order**  
***Krys v. Aaron* (Case No. 08-cv-7416 (S.D.N.Y.))**

E-mail	12/20/2005	Paul Aaronson	Robert J.A. Zito, Esq.; Patrick McMahon		Confidential communication with counsel regarding draft separation agreement.	Document: AR009494 Attorney-Client
E-mail	12/16/2005	Patrick McMahon	Robert J.A. Zito, Esq.; Paul Aaronson		Confidential communication with counsel regarding SEC meeting.	Redacted Document: AR002308 Attorney-Client
E-mail	12/16/2005	Robert J.A. Zito, Esq.	Paul Aaronson; Patrick McMahon		Confidential communication from counsel regarding SEC meeting.	Attorney-Client
E-mail	12/8/2005	Paul Aaronson	Christopher Aliprandi; Patrick McMahon		Confidential communication regarding communication with and advice of counsel in connection with transition terms.	Attorney-Client